Development. (1948) Department.

MS SERIES.

G.O. No. 4610

Dated 9.9.48

[Despatch Abstract.]

Subject:- Indian Labour Organisation - Conventions and Recommendations adopted by the 30th session of the Indian Labour Organisation held in Geneva - 4th June 1st July 1947.

By Air Mail.

Government of India,
Ministry of Labour.

No. LC. 34(14).
Dated New Delhi, the 19th July, 1948.

From

Rai Bahadur Sadashiva Prasad, M.A., B.L.,
Deputy Secretary to the Government of India,

To

The Secretary to the Government of Madras,
Public Works Department,
Madras.

Sir,

Sub:- Conventions and Recommendations adopted by the 30th Session of the International Labour Conference held in Geneva in June-July, 1947.

. . .

I am directed to say that the International Labour Organisation adopted, at its thirtieth Session, the following Conventions and Recommendations

(i) Convention No. 81 concerning labour inspection;

(ii) Convention No. 82 concerning social policy in non-metropolitan territories;

(iii) Convention No. 83 concerning the application of international labour standards to non-metropolitan territories;

(iv) Convention No. 84 concerning the right of association and the settlement for disputes in non-metropolitan territories;

(v) Convention No. 85 concerning labour inspectorates in non-metroplitan territories;

(vi) Covention No. 86 concerning the maximum length of contracts of employment of indigenous workers;

(vii) Recommendation No. 81 concerning labour inspection; and

(viii) Recommendation No. 82 concerning labour inspection in mining and transport undertakings.

2. We are not concerned with Conventions bearing Nos. 82 to 86 relating to non-metropolitan territories since India is niether a non-metropolitan country nor has many non-metropolitan territories under her. Hence no action is proposed to be taken on these Conventions.

3. The other remaining Convention, i.e., the one dealing with labour inspection, and the two Recommendations, together with a statement of the action proposed to be taken by the Government of India, are required to be placed before the Dominion Legislature by the 10th January, 1949. Copies of the Convention and Recommendations are enclosed. I am ho request that the observations of the Provincial Government on the Convention and the Recommendations may be forwarded to this

GOVERNMENT OF MADRAS.
ABSTRACT.

Indian Labour Organisation Conventions and Recomendations adopted by the 30th Session of the Indian Labour Organisation held in Geneva in June-July 1948.

Development Department.

letter
~~G.O.~~ Ms. No. 4610. dated 9.9.48.
Read the following:-

Mr. Sadashiva Prasad's letter No. L.C. 34(14) dated 19.7.48.

. . .

ORDER:

I am directed to state that the Government of Madras agree with the views of the Government of India regarding Convention 81.

As regards Recommendation 81, I am to state that the Revised Factories Act and the Madras Non-Power Factories Act provide for registration and licencing of factories. Steps have been taken to set up Works Committees in industrial undertakings employing more than 100 workers. Inspectors of Factories have been giving advice to employers on technical matters and their inspection reports are genrally on the lines indicated in the recommendation. Factory Inspectors are not doing conciliation work normally.

Regarding Recommendation 82 the Government of Madras are concerned only with transport undertakings. The Payment of Wages Act has been extended to motor omnibus and tramways services and Inspectors of Factories and and Labour Officers have been appointed as Inspectors under the Act. Transport Workshops coming under the Factories Act are inspected by Factory Inspectors. Labour Officers attended to disputes between workers and management. I am therefore to state that the standards laid down in Recommendations 81 and 82 are followed as far as possible in this Province.

(By order of H.E. the Governor)

(Sd) x x
Secretary to Government.

Copy to Commissioner of Labour.

/True copy/

Superintendent,
11.9.53.
Madras Record Office.

mr. 29.7.

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Ministry ~~Ministry~~ as early as possible and in any case not later than the end of August, 1948.

4. It may be stated that unlike other International Labour Organisation Conventions, Convention No. 81 enunciates broad principles in regard to the organisation and administration of factory inspection services and more or less lays down the administrative practice to be followed in order to ensure an efficient and impartial Inspectorate. The Government of India do not think that any of the provisions of the Convention relates to a matter which may be covered by specific legislation. The Chief Adviser, Factories, who has analysed the provisions of this Convention vis-a-vis the existing legislation and administrative practice in India, has opined that we can deal with most of the points under the Rules required to be drafted under the new Factories Bill after it becomes law and by executive orders or instructions where necessary and India would be able to ratify the Convention either by promulgating Rules or issuing orders in the manner specified above. It may please be stated if the Provincial Government are in agreement with this view.

5. Part II of the Convention requires that the ratifying country shall maintain a system of labour inspection in commercial workplaces. The Provincial Government are aware that there is as yet no Central legislation covering commercial establishments, though the Ministry of Labour are considering the proposal. In the circumstances the Government of India will have to exclude Part II from the acceptance of the Convention, which is admissible under Article 25 (1) of the Convention.

6. I am further to invite the attention of the Provincial Government to the provisions of the two Recommendations and to request that as far as may be practicable, effect may be given to them. Here also, it is requested that this Ministry may be informed of the measures which the Provincial Governments propose to take to give effect to the standards laid down by the International Labour Organisation.

7. The favour of an early reply is requested.

Yours faithfully,

(Sd) x x x
(Sadashiva Prasad).
Deputy Secretary to the Government of India.

/True copy/